

Subsidy Program – New Federal Law

State of New Jersey



How these changes affect child care programs

Reauthorization



In 2014, Congress reauthorized the Child Care and Development Block Grant (CCDBG). This was an historic re-envisioning of child care.

Final Rule



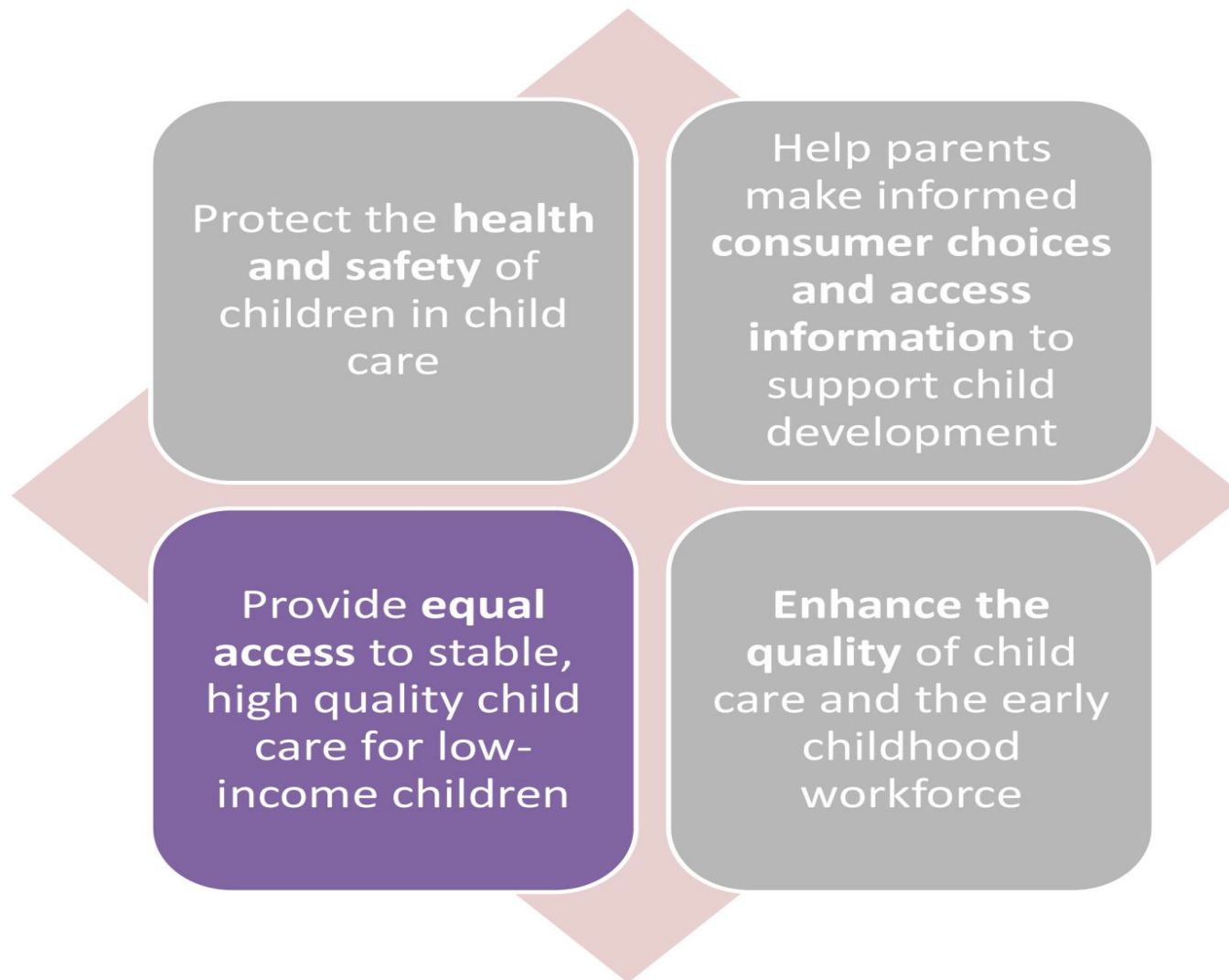
Publication in the Federal
Register on
September 30, 2016

Effective Date - 60 days after



Final Rule

Addresses Four Major Areas





Health and Safety Requirements

Key Health and Safety Requirements



- Compliance with state and local building, fire and safety requirements and code
- Standards and training in 12 topic areas related to health and safety
- Child Abuse Reporting
- Annual monitoring and inspections
- Child to staff ratios and group size standards
- Comprehensive Criminal Background Checks
- Disqualifying crimes

Providers Compliance Requirements



- Must comply with **state and local** health and safety requirements and code
- Demonstrated through compliance with
 - Valid Certificate of Occupancy (CO or CCO)
 - Current Fire Inspection and Certificate
- Written policies addressing prevention/control of infectious disease, including immunization aligned with state regulations

Child Abuse Reporting



Effective October 1, 2016

Ensure that child care providers know that they must comply with child abuse reporting requirements in accordance with N.J.S.A. 9:6-8

Basic Health and Safety Training



Compliance by March 31, 2017

- Cardiopulmonary Resuscitation (CPR) – Pediatric and First Aid – Pediatric
- Prevention of Infectious Disease
- Prevention of and Response to Emergencies due to Food and Allergic Reactions
- Child Abuse and Neglect
- Prevention of Shaken Baby Syndrome, Abusive Head Trauma and Child Maltreatment
- Child Development

Basic Health and Safety Training Cont.



- Prevention of Sudden Infant Death Syndrome and Safe Sleeping Practices
- Administration of Medication
- Building and Physical Premises Safety
- Handling and Storage of Hazardous Materials
- Emergency Preparedness and Response Planning for Emergencies
- Precautions in Transporting Children (for staff who transport children)

Child-to-Staff Ratio and Group Size



Compliance by March 31, 2017

All providers **must** meet Office of Licensing Child-to-Staff Ratio and Group-Size limits.

(N.J.A.C. 10:12)

Criminal Background Checks



Must be completed by November 1, 2017

- Comprehensive criminal background checks for **all child care staff members** working in centers receiving child care subsidies must be **completed by November 1 2017**.
- Including staff members **who don't** care directly for children, but have unsupervised access to children.
- Child care staff member means an individual:
 - who is employed by a child care provider for compensation; or
 - whose activities involve the care or supervision of children for a child care provider; or
 - unsupervised access to children who are cared for or supervised by a child care provider.

Criminal Background Checks



Comprehensive Criminal Background Checks must include the following:

- State criminal and sex offender registry;
- State child abuse and neglect registry;
- National Crime Information Center (run by the FBI);
- FBI fingerprint check using Integrated Automated Fingerprint Identification System; and
- National Sex Offender Registry (operated by Department of Justice).

Disqualifying Crimes



A child care staff member shall be ineligible for employment by a child care provider that is receiving assistance if such individual has been convicted of a felony consisting of:

- Murder;
- Child abuse or neglect;
- A crime against children, including child pornography ;
- Spousal abuse;

Disqualifying Crimes Cont.



- A crime involving rape or sexual assault; (vi) kidnapping;
- Arson;
- Physical assault or battery; or,
- Has been convicted of a violent misdemeanor committed as an adult against a child, including the following crimes: child abuse, child endangerment, sexual assault, or of a misdemeanor involving child pornography.

License-Exempt Providers Licensing



Effective November 1, 2017

License-exempt providers must be licensed through the New Jersey Department of Children and Families, Office of Licensing

Recap



License-Exempt Providers Pathway

- Comply with local and state health and safety laws and codes (building, fire and health)
- Comply with health requirements – including immunization (N.J.A.C. 10:122)
- Complete pre-service health and safety trainings-workforce
- Comply with child/staff ratio (N.J.A.C. 10:122)
- Take steps identified in the courtesy inspection
- Begin application process for licensing

License-Exempt Providers Requirements



November 1, 2017

- Submit application for licensing submitted
- Complete background checks for staff
- Pass unannounced Inspections of health and safety requirements
- Post-inspection reports

Subsidy Eligibility



There are three major changes to eligibility:

- Lengthened Eligibility and Continuity
- Continued Assistance/Job Search
- Graduated Phase-out

Lengthened Eligibility in the Law



The law established **minimum 12-month eligibility periods**, regardless of a temporary change (as defined by ACF) in parents' status such as working or attending job training or education, if family income does not exceed 85% of SMI.

(45 CFR 98.21(a))



Lengthened Eligibility



Defines “temporary” to include at a minimum:

- Any time-limited absence from work for an employed parent due to reasons such as need to care for a family member or an illness
- Any interruption in work for a seasonal worker who is not working between regular industry work seasons
- Any student holiday or break for a parent participating in training or education
- Any other cessation of work or attendance at a training or education program that does not exceed three months, or a period longer established by the state.

(45 CFR 98.21(a))

Lengthened Eligibility



The CCDF Final Rule also requires that a child retain their eligibility until the next re-determination.

This allows a child turning 13 years old during the eligibility period to remain eligible.

Job Search in Final Rule



- Assistance is provided for at least three months;
- Continued assistance is provided *at the same level*;
- If, by the end of the three-month period, the parent is again engaged in an eligible work, education, or training activity, assistance continues.

Graduated Phase-Out



The law requires the state to have graduated phase-out policies and procedures for families who, at redetermination, exceed the State's initial income threshold (250% of FPL), and if their income is still below 85% of SMI, provided they are also working or attending a job training or education program.

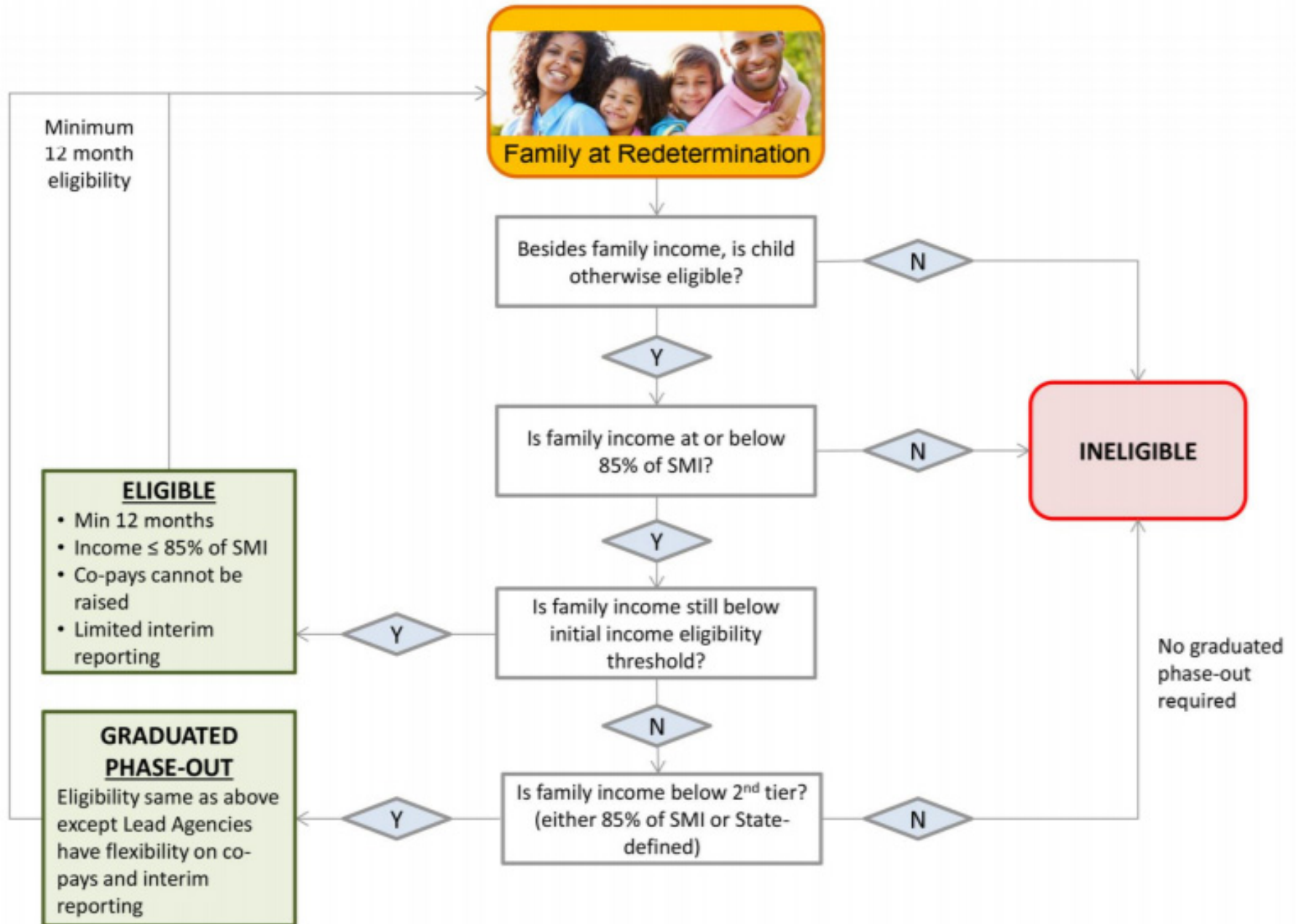
Graduated Phase-Out Cont.



Once deemed eligible, a family shall receive a full eligibility period under the same conditions as a typical eligibility period, with the exception of co-payments.

Eligibility threshold cannot exceed 85% of SMI.

Graduated Phase-Out Flowchart



Transparent Consumer and Provider Education Information



- Make available via a consumer-friendly and easily accessible website, information on:
 - Child care services
 - Full diversity and quality of providers
- Policies and procedures regarding licensing of child care providers, including:
 - conducting background checks owed to care for children; and
 - monitoring of child care providers.
- Aggregate data on serious injuries and fatalities

Important Websites and Training Resources



www.acf.hhs.gov/programs/occ/ccdf-reauthorization

www.childcarenj.com

www.nj.gov/dcf/families/childcare/index.html

Child Care Resource and Referral Agencies

www.childcarenj.com/Parents/CCRR

Child Care Development Fund (CCDF) Final Rule

Understanding Subsidy Eligibility

State of New Jersey



**Thank you for all
you do for children
and families!**